

## **GOVERNMENT OF TELANGANA**

### **ABSTRACT**

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Declaration of Chawan Jagadish S/o Ramesh R/o Ch.Khanapur village of Adilabad Rural Mandal of Adilabad District vide Procs.Rc.No.C3/2596/2019-39, dated 31.01.2020 - Appeal filed by Chawan Jagadish S/o Ramesh R/o Ch.Khanapur village of Adilabad Rural Mandal of Adilabad District – Allowed – Orders – Issued.

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### **TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No. 20**

**Dated: 08-02-2021**

**Read the following:-**

1. G.O. Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Procs.Rc.No. C3/2596/2019-39, dated 31.01.2020 of the Collector & District Magistrate, Adilabad District.
3. Appeal petition filed by Sri Chawan Jagadish S/o Ramesh R/o Ch.Khanapur village of Adilabad Rural Mandal of Adilabad District, dated 20.02.2020.
4. Govt.Memo.No.305/TW.LTR/2020, dated 06.06.2020
5. Lr.Rc.No.D5/309/2018, dated:30.07.2020 of the PO, ITDA Utnoor, Adilabad District.
6. Notice No.305/TW.LTR/2020, dt. 28.08.2020.

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### **ORDER**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the Collector & District Magistrate, Adilabad District vide her orders in the reference 2<sup>nd</sup> cited, has issued orders declaring that the appellant Chawan Jagadish S/o Ramesh R/o Ch.Khanapur village of Adilabad Rural Mandal of Adilabad District is not a Local Schedule Tribe as per definition of G.O.Ms.No.24, TW (LTR.1) Department, dt.12.6.2018 basing on the following findings of the Scrutiny Committee:

- Chawan Jagadish S/o Ramesh R/o Ch.Khanapur village of Adilabad Rural Mandal has appeared before the Scrutiny Committee on 21.11.2019 and submitted the following documents in support of his claim:
  - 1950 Pahani in favour of Lalu Banjara bearing Sy.No.2 situated at Keslapur village of Indervelly Mandal.
  - 1954-55 Khasra pahani in favour of Lalu S/o Vachu bearing Sy.No.2 situated at Keslapur village of Indervelly Mandal.
  - Old Pass book Khatha No.42 in favour of Bhuchya S/o Bhuiya bearing Sy.No.28/43 situated at Ch.Khanapur village of Adilabad Rural Mandal.
  - Pahani from 1966-67 to 1972-73 in favour of Sakya S/o Bhuchya bearing Sy.No.28 situated at Ch.Khanapur village of Adilabad Rural Mandal.

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- Pahani from 1977-78 to 2008-09 in favour of Sakaram S/o Bhuchya bearing Sy.No.28 situated at Ch.Khanapur village of Adilabad Rural Mandal.
- Voter List for the year 1977 showing the name of Chawan Buchiya S/o Bhuriya.
- Scrutiny Committee in its final hearing on 6.12.2019 had concluded with the following findings:
  - The Tahsildar, Adilabad Rural has not issued any LST (Local Scheduled Tribes) Certificate.
  - Verification of 1950 pahani and 1954-55 Khasra reveals that Sri Lalu Banjara is cultivator in Sy.No.2 situated at Keslapur village of Indervelly Mandal which is Govt. land. The candidate has failed to show via documentary evidence relationship between Lalu and Sakaram.
  - Again the candidate has furnished pahani copies w.e.f. 1968 to 2015 in which Sri Sakya S/o Bhuchya is seen as pattedar in Sy.No.28 situated at Chichdhari Khanapur village of Adilabad Rural Mandal. But the candidate has failed to furnish the records linking the relationship with Buchya and Bhuriya, Bhuriya and Lalu. His grandfather name is Sakaram S/o Bhuchya.
  - Most Habitants of Chichdhari Khanapur village which is also an old village inhabited mainly by Gonds, Kolams and some SCs in the 1950s. Looking at the 1954-55 Khasra pahani, it is clear that the Pattedar was a Jagirdar who is Muslim & absentee landlord and other pattedars all belong to Gonds/Kolam community. It is clear that the migration of the Banjara/Lambada community started from around 1964-65 from different villages to Chichdari.
  - The candidate in question also has clearly produced records of his (Grandfather Sakaram) only from year (1967-68) it is clear that the family of the applicants have migrated to this village Chichdhari and are not original residents.
  - To prove that his grandfather migrated from Harkapur of Indervelly Mandal, he has produced land records in the name of one Sri. Lalu S/o Vachu. But his great grandfather is Bhuchya. Hence, there is no direct documentary evidence to prove that his forefathers resided in agency area before 1967-68.
  - Scrutiny Committee with the above observations has finally concluded that Chawan Jagadish S/o Ramesh R/o Ch.Khanapur village of Adilabad Rural Mandal of Adilabad District has failed to produce sufficient evidences to prove his continuous residence in Agency Area since 26.01.1950 to till date as per GO Ms.No.24, TW (LTR.1) Dept. dt.12.06.2018.
- A show cause notice was issued to Chawan Jagadish S/o Ramesh to attend before the District Collector, Adilabad on 31.01.2020 to prove his claim as Local ST with relevant material/documents.

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- Accordingly, Chawan Jagadish attended before the Dist. Collector, Adilabad on 31.01.2020 and submitted land records in the name of his grandfather Sakaram only from the year 1967-68 of Chichdari Khanapur village of Adilabad Mandal and also submitted the land records of Sri Lalu Banjara of 1950 and 1954-55 of Harkapur of Indervelly Mandal and claimed that Sri Lalu Banjara is their great grandfather. But his great grandfather is Bhuchya, he has failed to establish the relationship between Lalu and Buchya.
- In reply to the show cause notice dt.13.01.2020, the candidate stated that Bhurya name was not mentioned in land records and voter list, but there is a record available, in which Sri Lalu Banjara father of Sri Bhurya had paid money in the name of Sri Bhurya. While enclosing the copy of the above record, he requested to consider his claim.
- On verification of the said record, it is not visible and unauthenticated. Moreover, the candidate has not produced any other evidence to prove residence in Agency area of his family forefathers since 1950. So, the above observations of the Scrutiny Committee are found valid.

3. Aggrieved by the above cancellation orders of the Collector & District Magistrate, Adilabad District, the Appellant Chawan Jagadish S/o Ramesh R/o Ch.Khanapur village of Adilabad Rural Mandal of Adilabad District vide ref. 3<sup>rd</sup> read above, has filed an Appeal before the Government under GO Ms.No.24, dt.12.6.2018. The contentions of Chawan Jagadish S/o Ramesh are as follows:

- He has been selected for the post of SGT through TRT vide HT No.1753124037
- He has submitted herewith documentary evidences like Land Record of 1950, Family Tree their records, pahanies from 1966 to 2015, PPB in the name of grandfather, letter of scrutiny committee treating his case as genuine, voter list of 1977 etc.

4. Therefore, the appellant Chawan Jagadish S/o Ramesh has prayed the Government to do justice in his case.

5. The following documents have been submitted along with the Appeal and also during hearing on 5.9.2020.

i) As per Family Tree

- Lalu S/o Vachu is the most senior great grandfather of the appellant. He has three sons namely 1) Kaniram 2) Maniram and 3) Bhuriya (greater grandfather of appellant).
- Bhuriya (senior great grandfather of appellant) has three sons namely 1) Buchiya (great grandfather of appellant) 2) Somla and 3) Thanya
- Buchiya (great grandfather of appellant) has three sons namely 1) Mangiya 2) Sakaram (grandfather of appellant) and 3) Seetharam.

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- Sakaram (grandfather of appellant) has four children namely  
1) Ramesh (father of appellant) 2) Shobha 3) Sunil and  
4) Ullash.
- Ramesh (father of appellant) has three children namely  
1) Jagadish (son of appellant) 2) Jyothsna (daughter and  
3) Yuvaraj (son)
- ii) Land Record of 1950 year – village: Keslapur – Mandal:  
Indervelly – shows name of Lalu.
- iii) Pahani 1954-55 – shows name of Lalu.
- iv) Old PPB No.42 issued by MRO Adilabad in favour of Buchya  
S/o Burya Chavan R/o Chichdari (great grandfather of appellant)  
shows an extent of acs.3.00 in Sy.No.28/43.
- v) Old PPB No.68 issued by MRO Adilabad in favour of Chavan  
Sakaram R/o Chichdari (grandfather of appellant) shows an  
extent of acs.5.00.
- vi) Pahani 1967-68 shows name of Sakaram (grandfather of  
appellant) for an extent of acs.5.00.
- vii) Pahani 1970-71 shows name of Seethram (youngest brother of  
grandfather of appellant) for an extent of acs.5.00.
- viii) Pahani 1971-72 – shows name of Sakaram (grandfather of  
appellant).
- ix) Pahani 1973-74 – shows name of Sakaram (grandfather of  
appellant).
- x) Pahani 1975-76 – shows name of Sakaram (grandfather of  
appellant).
- xi) Pahani 1977-78 – shows name of Sakaram (grandfather of  
appellant) for an extent of acs.5.00.
- xii) Pahani 1981-82 – shows name of Sakararm (grandfather of  
appellant).
- xiii) Pahani 1982-83 – shows name of Sakaram (grandfather of  
appellant) for an extent of acs.5.00 in Sy.No.28.
- xiv) Pahani 1983-84 – shows name of Sakaram S/o Buchya  
(grandfather of appellant) for an extent of acs.5.00 in Sy.No.28.
- xv) Pahani 1986-87 – shows name of Sakaram S/o Buchya  
(grandfather of appellant) for an extent of acs.5.00 in Sy.No.28.
- xvi) Pahani 1987-88 – shows name of Sakaram S/o Buchya  
(grandfather of appellant) for an extent of acs.5.00 in Sy.No.28.

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- xvii) Pahani 1988-89 – shows name of Sakaram S/o Buchya (grandfather of appellant) for an extent of acs.5.00 in Sy.No.28.
- xviii) Pahani 1989-90 – shows name of Sakaram S/o Buchya (grandfather of appellant) for an extent of acs.5.00 in Sy.No.28.
- xix) Pahani 1991-92 – shows name of Sakaram S/o Buchya (grandfather of appellant) for an extent of acs.5.00 in Sy.No.28/24.
- xx) Pahani 1992-93 – shows name of Sakaram S/o Buchya (grandfather of appellant) for an extent of acs.5.00 in Sy.No.28/24.
- xxi) Pahani 1996-97 – shows name of Chavan Sakaram S/o Buchya (grandfather of appellant) for an extent of acs.5.00 in Sy.No.28/23.
- xxii) Pahani 1997-98 – shows name of Chavan Sakaram S/o Buchya (grandfather of appellant) for an extent of acs.5.00 in Sy.No.28/23.
- xxiii) Pahani 1998-99 – shows name of Chavan Sakaram S/o Buchya (grandfather of appellant) for an extent of acs.5.00 in Sy.No.28/23.
- xxiv) Pahani 1999-2000 – shows name of Chavan Sakaram S/o Buchya (grandfather of appellant) for an extent of acs.5.00 in Sy.No.28/23.
- xxv) Pahani 2001-2002, 2002-03, 2003-04, 2006-07, 2007-08, 2008-09 – shows name of Sakaram S/o Buchya (grandfather of appellant) for an extent of acs.5.00 in Sy.No.28/23.
- xxvi) Pahani for the 1422, 1423 and 1424 Fasli years (2012, 2013, 2014 years) – show name of Chavan Ramesh S/o Sakaram (father of appellant) for an extent of acs.2.50 in Sy.No.28/22.
- xxvii) Voter list for the year 1977 of 242 Adilabad Assembly Constituency – Part No.65 – Taluq: Adilabad – Firka: Jainad – village: Khanapur – show names of 1) Buchya (great grandfather of appellant), 2) Jamunabai (W/o Buchya), 3) Mangya S/o Buchya (eldest brother of grandfather of appellant), 4) Janabai W/o Mangya and 5) Sakaram S/o Buchya (grandfather of appellant) from Sl.Nos.56 to 60 under H.No.1-44/1.
- xxviii) Agency Area Certificate bearing Rc.No.D/1335/2016, dt.22.06.2016 issued by Tahsildar, Adilabad Mandal that Sri Chawan Jagadish S/o Ramesh belongs to Ch.Khanapur village of Adilabad Mandal and District i.e. scheduled area village of Adilabad Mandal.

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- xxix) Migration Certificate bearing Rc.No.C/026/2016, dt.19.01.2017 issued by Tahsildar, Indervelly – wherein it was certified that as per the certification made by VRO Keslapur and MRI Indervelly, the applicant Sri Chavhan Ramesh S/o Sakaram, his forefathers Chavhan Lalu S/o Vaachu was enrolled in 1351 fasli and 1954-55 Khasra pahani as per revenue records of Indervelly Mandal. They resided at Harkapur village of Indervelly and in the year 1976 they migrated to Chichdhari Khanapur village of Adilabad Mandal and District.
- xxx) Copy of Lr.Rc.No.C3/2044/2015, dt.05.11.2017 of the District Collector, Adilabad addressed to the DM&HO Adilabad – wherein it was certified that the Local Scheduled Tribe Area Certificate of the candidate Sri Ch.Ramesh S/o Sakaram R/o Chichdhari Khanapur (vg) of Adilabad (Rural) Mandal is genuine (when the candidate applied for the post of MPHA (M).
- xxxi) Village elders declaration dt.8.7.2019 – speaks about owning of land for an extent of acs.8.10 in Sy.No.2 in Harkapur village (sivar Keslapur) – speaks about family tree, living of family members in Harkapur from before 1950 and migration from Keslapur to Chichdari Khanapur in the year 1976. This was certified by the VRO Harkapur, MRI and also attested by the Tahsildar.
- xxxii) Village Elders declaration dt.19.02.2020 also certified by Sarpanch, GP Ch.Khanapoor – speaks about owning of land by Sri Chauhan Buchya S/o Bhuriya (great grandfather of appellant) in Sy.No.28/11 for an extent of acs.2.5 in Chichdari sivar village. His forefathers also lived in Harkapur village of Indervelly Mandal. Later after the death of Bhuriya S/o Lalu, his legal heirs migrated to Chichdari Khanapur village of Adilabad ® Mandal and settled there.
- xxxiii) Copy of letter bearing Rc.No.C/544/2019, dt.9.7.2019 of Tahsildar, Indervelly addressed to the Tahsildar, Adilabad (Rural) Mandal – wherein it was reported that the VRO Harkapur and Mandal Girdawar had drawn the family tree and reported that the applicant forefather namely Lalu S/o Vachu was recorded in 1351 fasli and 1954-55 pahani of Harkapur village of Indervelly Mandal – then after their family members migrated from Harkapur village to Chichdhari Khanapur village of Adilabad Rural Mandal in the year 1976 and also sent therewith the attested copies of Fasli for the year 1351, 1954-55 Khasra pahani and villagers statement for reference.

6. Vide reference 4<sup>th</sup> read above, the District Collector, Adilabad has been requested to submit original record pertaining to the case along with para-wise remarks.

7. Accordingly, vide reference 5<sup>th</sup> read above, the PO, ITDA, Utnoor, Adilabad District has submitted original record of the case along with para-wise remarks.

8. Vide reference 6<sup>th</sup> read above, a Notice has been sent to the Appellant to attend for hearing on 05.09.2020 at 11.00 AM before the Government

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to prove her claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 05.09.2020 and submitted the documents as submitted along with Appeal Petition.

9. All the above documentary evidences amply prove that the appellant Chawan Jagadish S/o Ramesh and his forefathers have been continuously living in the Agency villages of Adilabad District from before 1950 i.e. Harkapur and from 1976 in Ch. Khanapur village of Adilabad Rural Mandal of Adilabad District.

10. Government after careful examination of the documents available on record sent by the PO, ITDA, Uttoor, Adilabad District, and documents submitted by the Appellant and along with the Appeal Petition, during hearing on 5.09.2020 and also in the light of the interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018, dated 14.9.2018, it is found that the Appellant Chawan Jagadish S/o Ramesh and his fore-fathers have been continuously residing in the agency villages from before 1950 i.e. Harkapur and Ch. Khanapur of Adilabad (Rural) Mandal which are agency villages in Adilabad District.

11. Accordingly, Government hereby set aside the cancellation orders of the Collector & District Magistrate, Adilabad District in Procs.No. C3/2596/2019-39, dated 31.03.2020 and allow the Appeal Petition filed by Chawan Jagadish S/o Ramesh, Ch. Khanapur village of Adilabad Rural Mandal of Adilabad district and declaring him as local Sheduled Tribe of Ch. Khanapur agency village of Adilabad Rural Mandal in Adilabad District and also the Agency Area Local ST Certificate bearing Rc.No. D/1335/2016, dt.22.06.2016 issued by the Tahsildar, Adilabad Rural Mandal is treated as valid.

12. The Collector & District Magistrate, Adilabad District shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr. CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Adilabad District.

Chawan Jagadish S/o Ramesh, Ch. Khanapur village of Adilabad Rural  
Mandal of Adilabad district.

Copy to:

1. The Secretary, Telangana State Public Service Commission, Hyderabad  
(for information & necessary action)
2. The Project Officer, ITDA Uttoor, Adilabad District  
(for information & necessary action)
3. The District Educational Officer, Adilabad  
(for information & necessary action)
4. The PS to Hon'ble Minister for ST Welfare for information.
5. The PS to Secretary (TW)
6. The PS to Special Secretary (TW)
7. SF/SC.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**